

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2010-003106

11/09/2010

HON. EDWARD O. BURKE

CLERK OF THE COURT  
L. Nixon  
Deputy

KEITH DEERING, et al.

LANCE R BROBERG

v.

GARY WHITING, et al.

GREGORY G MCGILL

WADE M BURGESSON  
PAUL A CONANT  
MARK DEATHERAGE  
JARED C SIMMONS  
AMY J GITTLER  
DONALD F ENNIS  
STEVEN D JEROME

MINUTE ENTRY

9:35 a.m. This is the time set for the continuation of Evidentiary Hearing. Plaintiffs in CV2010-003106, plaintiffs in CV2010-006635 and defendants, Karl and Diana Hiatt, Dark Comet Games, LLC, Fresh Start Studios, LLC in CV2010-025559 are represented by counsel, Paul A. Conant and Melissa A. Emmel. Intervenors, Samuel Dalember, David Roberts and Hetal Shah are telephonically represented by counsel, Mark Deatherage. Court appointed Receiver, Edward M. Burr, Jr. is represented by counsel, Wade M. Burgessson. Defendant, Gary Whiting is present on his own behalf. Defendants, CME Board of Directors and CMG Board of Directors are represented by counsel, Gregory G. McGill.

Court Reporter Scott Coniam is present and a recording of the proceedings is made by audio and/or videotape.



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representative with Sierra Consulting Group, LLC which was the receiver at the time of the meeting, is played in open court.

Plaintiffs' exhibit 78 is marked for identification and received in evidence.

Mr. McDowell is excused.

Jerry Dale Belt is sworn and testifies.

Receiver's exhibit 79 is marked for identification and received in evidence.

Mr. Belt is excused.

Closing arguments are presented.

IT IS ORDERED taking these matters under advisement.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED permanently releasing all exhibits not offered in evidence to the counsel/party causing them to be marked.

Defendants' exhibits 13-15, 17, 18, 20-24, 25-37, 39-47, 48, 50-52, 58-63 and 65-67 are released to defendant, Gary Whiting.

IT IS FURTHER ORDERED that defendant, Gary Whiting take immediate possession of all exhibits referenced above.

5:05 p.m. Hearing concludes.

FILED: Hearing Worksheet, Exhibit Worksheet  
ISSUED: Exhibit Release Form (1)